

THE EFFECTIVE DATE OF THIS ORDINANCE IS MAY 26, 2006

ORDINANCE NO. 06-16-412

Text Amendment ZT 06-01

PREAMBLE

The Board of County Commissioners filed the application for this Zoning Text Amendment.

Political signs are regulated in the County Zoning Ordinance, Frederick County Code Section 1-19-182(H).

This regulation of political signs includes limiting the political campaign signs identifying candidates to 45 prior to the primary election until 15 days after the general election.

Under the decision of the U.S. Supreme Court in *City of Ladue v. Gilleo*, 512 U.S. 43 (1994), this durational limitation is not enforceable.

The Board of County Commissioners desires to remove this unenforceable provision from the County Zoning ordinance.

Prohibiting political campaign signs in the public right-of-way promotes public safety and traffic safety by, among other things, removing traffic obstructions and preventing distraction of motorists.

Limiting the location of political campaign signs to an owner's property boundaries, avoids trespassing and serves to ensure that the signs are erected with the property owner's permission.

The Frederick County Planning Commission considered this matter at its public meeting held on March 15, 2006. At that public meeting, the Planning Commission voted to recommend approval of the request.

The Board of County Commissioners held a duly advertised public hearing on this ordinance on May 16, 2006. The public had an opportunity to comment on the proposed Ordinance at this public hearing.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that existing Section 1-19-182 of the Frederick County Code shall be amended as follows:

§ 1-19-182. GENERAL REGULATIONS

(H) Political campaign signs identifying candidates seeking public political office [and/]or political issues and other data pertinent thereto shall be permitted as set forth below.

(1) Each sign shall be located within the owner's property boundaries and shall not be located within the public right-of-way.

[(2) Political campaign sign(s) identifying candidates may be erected 45 days prior to the primary election and must be removed within 15 days after the general election.]

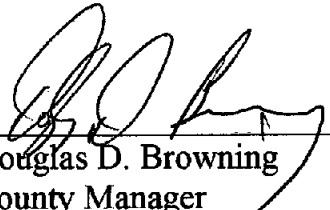
AND BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect on May 26, 2006.

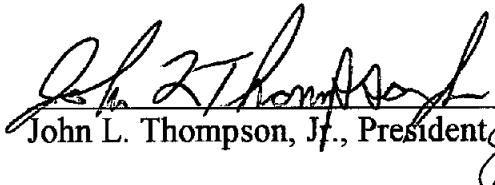
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

The undersigned hereby certifies that this Ordinance was approved and adopted on the 16th day of May, 2006.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND


Douglas D. Browning
County Manager


John L. Thompson, Jr., President 